

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions,  
and listings, of claims in the application:

1-20 (canceled)

21. (new) A road safety barrier, comprising:

a resistant element (A) designed to stop motion of  
heavy vehicles,

said resistant element comprising two substantially  
vertical walls, each vertical wall with a foot and a seat; and

at least one dampening element (B) inserted in and  
rigidly connected to the seat of said resistant element,

said dampening element forming a socle at the foot of  
said resistant element and positioned on at least one side of  
said foot facing a carriageway,

said dampening element comprising a material which  
deforms itself upon impact of an automobile,

said dampening element having a form that lifts a front  
part of the automobile,

wherein said resistant element has a first resistance  
to impact and said dampening element has a second, lower  
resistance to impact.

22. (new) The road safety barrier of claim 21,  
wherein,

said at least one dampening element is comprises a  
continuous sheet steel with an open cross-section,

the sheet steel has an upper part and a lower part,

the upper part is fixed to said resistant element, and

the lower part arranged adjacent the substantially  
vertical walls of the resistant element, the lower part non-  
fixedly contacts or is spaced apart from the vertical walls.

23. (new) The road safety barrier of claim 21,  
wherein,

the at least one dampening element forms a continuous  
plastic socle internally stiffened by one of a reticular  
structure, a septa, and a honeycomb structure.

24. (new) The road safety barrier of claim 21, wherein  
the dampening element forms a continuous plastic socle internally  
hollow and filled with one of water, an antifreeze, and a salt.

25. (new) The road safety barrier of claim 21, wherein,  
the at least one dampening element forms a continuous  
strip shaped to include at least a double wave,

said strip is supported and connected with bolts to steel supports, said steel supports fitted at equal distances inside the seats of the vertical walls,

said supports having an inclination to facilitate the lifting of the front part of the automobile.

B,  
26. (new) The road safety barrier of claim 23, wherein, the sheet steel is connected to the resistant element by at least one of a restrained joint (6',20) and a strip,

the strip is one of a continuous strip and a discontinuous strip (23'),

the strip extends below the resistant element, or above the resistant element (23"), or through (23) the resistant element (A).

27. (new) The road safety barrier of claim 21, further comprising:

resistant element supports; and

ductile screw anchors anchoring the resistant element to the resistant element supports.

28. (new) The road safety barrier of claim 27, further comprising:

friction reducing shoes intermediate the resistant element supports and the resistant element.

P,  
29. (new) The road safety barrier of claim 27, wherein, the resistant element further comprises a lower steel plate (31, 31') with ductile screw anchors (29) for anchoring to a ground element, and

further comprising:

a concrete reinforcement for the resistant element, the concrete reinforcement comprising a bracket (37) engaging two hooks (35, 35') connected on the lower steel plate.

30. (new) The road safety barrier of claim 21, further comprising:

a screen (24) supported at an upper part of the barrier,

the screen being one of a sound dampening screen, a net screen for the protection against the throw of objects, and a screen for the protection from gusts,

sound absorbers (25), and  
cavities (26) provided in a rear part of said resistant  
element, the cavities (26) for mounting the sound absorbers.

31. (new) A road safety barrier, comprising:  
a continuous resistant element (A) extending upwards  
from a road pavement level,  
the resistant element designed to stop motion of heavy  
vehicles,  
said resistant element comprising two substantially  
vertical walls, each vertical wall with a foot; and  
a dampening element (B) forming a continuous socle at  
the foot of said resistant element and positioned on at least one  
side of said foot facing a carriageway,  
said dampening element comprising concrete and,  
intermediate the concrete and the resistant element, one of a  
layer of dampening material (11), a plurality of concentrated  
dissipaters (12), and dissipating bundles of entangled steel  
fibers.

32. (new) The road safety barrier of claim 31, wherein  
the dampening material is polystyrene.

33. (new) The road safety barrier of claim 31, wherein the concrete of the dampening element is configured to be ground-resting and without connection to the resistant element.

B,  
34. (new) The road safety barrier of claim 31, wherein, the dampening element is connected to the resistant element by bolts,

the bolts permitting a translation of the dampening element as a longitudinal extension of the barrier.

35. (new) The road safety barrier of claim 31, wherein, the resistant element supports one of a screen (3,24) and a handrail (1,2).

36. (new) The road safety barrier of claim 31, wherein the resistant elements comprises a ductile anchor for anchoring the resistant element to a ground element.

37. (new) The road safety barrier of claim 31, further comprising friction reducing shoes disposed below the dampening element (B).

38. (new) The road safety barrier of claim 31, wherein the resistant element (A) and the dampening element (B) together for an overall shape substantially corresponding to a shape of a New Jersey barrier.

39. (new) The road safety barrier according to claim 21, wherein the resistant element (A) further comprises rear cavities (26) sized to accept medium and low frequency noise absorbers (25).

40. (new) A road safety barrier, comprising:

a resistant element (A), designed to stop motion of heavy vehicles, and comprising two substantially vertical walls, each vertical wall with a foot and a seat; and

at least one dampening element (B) inserted in and rigidly connected to the seats of said resistant element,

said dampening element forming a socle at the foot of said resistant element on at carriageway side of said foot,

said dampening element, upon impact of a light vehicle, being deformable and being shaped to lift a front part of the vehicle, wherein,

B, the resistant element has a first resistance to impact and the dampening element has a second, lower resistance to impact, said resistant element not being deformable upon impact by the light vehicle.

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The CAMOMILLA et al. '728 patent does not disclose such a barrier. Rather, note that the foot element 13 is covered by a steel sheet 7, which steel sheet is bolted to the box-like element 15 (forming the upright). This construction in the applied reference provides for a substantially uniform resistance to impact since the cover element 7 extends up to the base of the handrail. See Figure 2.

A review of the applied reference will verify that there is no teaching of providing two elements of different resistance to impacts. Accordingly, there is neither a teaching nor a suggestion of the present invention. In view of this, reconsideration and allowance of independent claims 21 and 40 are respectfully requested.

The dependent claims are also believed to be allowable, as not all of the features recited are taught or suggested by the applied references.

As to claim 2, see drawing figures 5-6 of the present application which shows the dampening element comprising a steel sheet with an open cross-section. This is in contrast with CAMOMILLA et al. '728, which only shows a steel sheet without an open cross section. This open cross section with the upper part being fixed to the resistant element and the lower part being either non-fixedly contacting or spaced apart from the vertical

walls of the resistant element provide a dampening element with a lower resistance to impact.

This recited feature of the invention is believed to be both novel and non-obvious over the prior art.

As to claim 5 (now claim 25), THOMPSON was offered for teaching a wave formation on the outside of the barrier. Although the THOMPSON barrier may have features analogous to the recited dampening element, there is no teaching of using such a dampening element in combination with a resistance element, e.g., applicants resistance element A. Further, the particular features recited by new claim 25 are not seen in this reference.

As to claims 24 and 30, see that the recitations concerning the water and noise absorbers are now positively recited.


In summary, the claims have been amended to be both proper as to form and so as to clarify the patentable features of the present invention. Accordingly, reconsideration and allowance of all the pending claims are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional  
fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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**APPENDIX:**

The Appendix includes the following item(s):

- an amended Abstract of the Disclosure
- Replacement Sheets for Figures 1-22 of the drawings
- Verified English-language translation of Italian  
Application RM99A000464 filed on July 21, 1999.

ABSTRACT

B<sub>2</sub>  
Road safety barrier of a "movable wall" type, has a double effect for function in order to stop both light vehicles and heavy good vehicles, and includes a resistant part element (A) and one or two dampening parts elements (B) for a lateral barrier or a traffic divider respectively. The resistant part element of the wall type barrier may be rigidly connected to steel plates which are equally spaced and have been specifically conceived for increasing the resistance during an impact caused by a heavy vehicle. The plates have a slot for the passage of ductile screw anchors, allowing the initial displacement of the resistant part element and its connection to the support. If provided, the ductile anchor parts elements are covered by the dampening part element (B).

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